

11/27/01

1133 U.S. PTO

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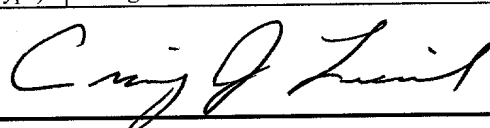
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PTO/SB/05 (08-00)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> (Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))		Attorney Docket No. 21315-301	
		First Inventor Tim Kirk	
		Title EXERCISE DEVICE	
		Express Mail Label No. EM388592065US	
<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent application contents.		ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington DC 20231	
<div><div><div>1. <input checked="" type="checkbox"/> *Fee Transmittal Form (e.g. PTO/SB/17) (Submit an original and a duplicate for fee processing)</div><div>2. <input checked="" type="checkbox"/> Applicant claims small entity status. (See 37 CRF 1.27)</div><div>3. <input checked="" type="checkbox"/> Specification Total Pages (12) (preferred arrangement set forth below) - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed sponsored R &amp; D - Reference to Microfiche Appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure</div><div>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) Total Sheets (2)</div><div>5. <input checked="" type="checkbox"/> Oath or Declaration <input checked="" type="checkbox"/> Newly executed (original or copy) <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).</div><div>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</div></div><div><div>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</div><div>8. Nucleotide and/or Amino Acid Sequence Submission (If applicable, all necessary) a. <input type="checkbox"/> Computer Readable Copy b. Specification Sequence Listing on. i. <input type="checkbox"/> CD-ROM or CD-R (2 copies), or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statements verifying identity of above copies</div></div></div>			
<b>ACCOMPANYING APPLICATION PARTS</b> <div><div>9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</div><div>10. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement of Power of Attorney (when there is an assignee)</div><div>11. <input type="checkbox"/> English Translation Document (if applicable)</div><div>12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations</div><div>13. <input checked="" type="checkbox"/> Preliminary Amendment</div><div>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</div><div>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</div><div>16. <input type="checkbox"/> Other: _____</div></div>			
<b>17. If a CONTINUING APPLICATION</b> , check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheets under 37 CFR 1.76: <div><input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application no.: _____</div> <div>Prior application information: Examiner: _____ Group / Art Unit: _____</div> <div><b>For CONTINUATION or DIVISIONAL only:</b> The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.</div>			
<b>18. CORRESPONDENCE ADDRESS</b>			
<input type="checkbox"/> Customer No. or Bar Code Label		or <input checked="" type="checkbox"/> Correspondence address below	
(insert Customer No. or Attach bar code label here)			
Address		Oppenheimer Wolff & Donnelly LLP 45 South Seventh Street, Suite 3300	
City	Minneapolis	State	Minnesota
Country	US	Telephone	612.607.7387
Name (Print/Type)		Registration No. (Attorney/Agent)	35,244
Signature		Date	
		Nov. 27, 2001	

UTILITY PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Tim Kirk et al.

Filed : Herewith

Title : EXERCISE DEVICE

Docket No : 21315/301

**CERTIFICATE OF EXPRESS MAIL**

EXPRESS MAIL Mailing Label Number: EM388592065US


Date of Deposit: November 27, 2001

I hereby certify that these papers and fee(s) are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Commissioner for Patents and Trademarks, Washington, D.C. 20231.

Paper(s) Enclosed:

- ☒ Certificate of Express Mail
- ☒ Postcard
- ☒ Transmittal Letter
- ☒ Fee Transmittal
- ☒ Declaration & Power of Attorney
- ☒ Preliminary Amendment
- ☒ Assignment to Neovitalis Ltd.
- ☒ Information Disclosure Statement with copies of cited references
- ☒ Application including specification (9 pages), claims (2 pages) abstract (1 page) and drawings (2 pages)

By:



Janet Byrne, Secretary to Craig J. Lervick  
OPPENHEIMER WOLFF & DONNELLY LLP  
45 South Seventh Street, Suite 3300  
Minneapolis, Minnesota 55402  
Telephone: (612) 607-7000

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT

(\$) 410.00

## Complete if Known

Application Number  
Filing Date **Herewith**  
First Named Inventor **Tim Kirk**  
Examiner Name  
Group Art Unit  
Attorney Docket No. **21315/301**

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to

Deposit Account Number

50-1901

Deposit Account Name

Oppenheimer Wolff &amp; Donnelly LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	370
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$) 370

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$) 40					

## SUBMITTED BY

Name (Print/Type)	Registration No. (Attorney/Agent)	Telephone
Craig J. Lervick	35,244	612/607-7387
Signature	Date	
	Nov. 22, 2001	

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